

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Genichiro OTA, et al.

Appln. No.: 10/565,380

Filed: January 23, 2006

For: MODULATION APPARATUS, DEMODULATION APPARATUS,
MODULATION METHOD AND DEMODULATION METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Attached are an Office Action issued in the corresponding Japanese Patent Application on February 16, 2010, and a Supplementary European Search Report for the corresponding European Application dated February 12, 2010.

The cited art is listed in the attached PTO-1449 for an indication of consideration by the examiner. Cited reference JP 2003-134069 was previously filed in the IDS of January 23, 2006, and is not included herein. Cited reference EP 0917325A corresponds to US 6,091,781, which was previously filed in the IDS of January 23, 2006, and is also not included herein.

Copies of any references listed on the PTO-1449, besides U.S. patent documents are submitted herewith.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention; see *Beckman Instruments, Inc. v. Chemtronics, Inc.*, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970).

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

If any additional fee is due please charge it to Deposit Account 04-1061.

Respectfully submitted,

/James Edward Ledbetter/

Date: April 7, 2010

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